

EXHIBIT A

Owen Diaz v Tesla, Inc.

J. Bernard Alexander, III

Cimone A. Nunley
Lawrence A. Organ
Sabrina Grislis

Dustin L. Collier




It has been conclusively determined that . . .

- 1. Plaintiff Owen Diaz was employed by Tesla, Inc.;**
- 2. Mr. Diaz was subjected to a racially hostile work environment while employed by Tesla;**
- 3. Tesla has failed to take all reasonable steps to prevent harassment based on race causing harm to Owen Diaz;**
- 4. Tesla's conduct is malicious, oppressive or in reckless disregard of Owen Diaz's rights;**
- 5. Mr. Diaz is entitled to compensatory damages.**
- 6. Tesla is liable to Owen Diaz for punitive damages.**

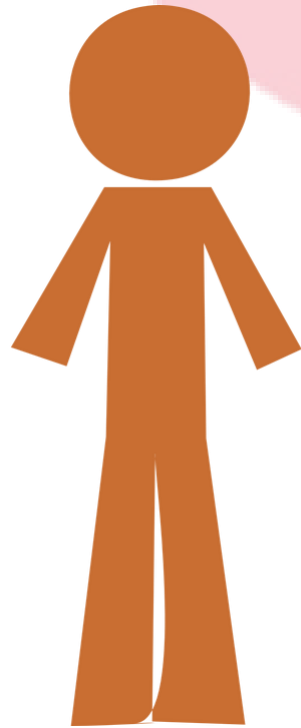


Anti Harassment Policy

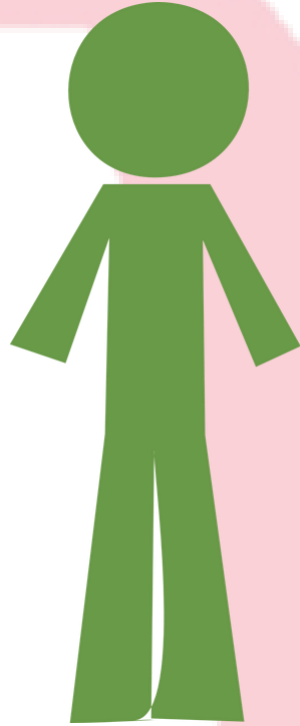
<div>  </div> <div> UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA EX 029 CASE NO. 17-cv-06748-WHO DATE ENTERED _____ BY _____ DEPUTY CLERK </div>	
<p>Anti-Harassment/Discrimination</p> <p>The diversity of our employees is a tremendous asset and Tesla is firmly committed to providing a workplace that is free of unlawful discrimination and harassment. Tesla prohibits any verbal, physical, or visual harassment of an employee because of that person's race, color, religion, creed, sex, age, sexual orientation, gender identity or expression, genetic information, national origin, physical or mental disability, medical condition, pregnancy, past or present membership in the uniformed service, application for employment in the uniformed service, Vietnam-era-veteran status, marital status, or any other characteristic protected by federal, state, or local law. Tesla does not consider such conduct to be within the course and scope of employment, and we do not sanction such conduct on the part of any employee, including supervisors or those in management positions.</p> <p>Sexual harassment refers to a particular form of prohibited conduct. Everyone must be able to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment does not refer to occasional compliments or other generally acceptable social behavior. Rather, sexual harassment refers to behavior that is unwelcome, offensive, undermines or weakens morale, and interferes with the work environment. You do not need to be the subject of the conduct to consider the workplace hostile; rather, it is sufficient for you to have personally witnessed such offensive conduct.</p> <p>Following are examples of prohibited conduct:</p> <p>Sexual Harassment</p> <ul style="list-style-type: none"> Offensive sexually oriented verbal "kidding," jokes, derogatory sexual comments, or abuse; Unwelcomed expressions of a sexual nature, including comments about a person's body, dress, clothes, or sexual activities; Pressure for sexual activity; Offensive physical contact such as touching, patting, punching, and repeated brushing against another person's body; Sexually suggestive objects, pictures, recordings, or computer communications, including pornography and sexually suggestive cartoons; and 	<p>omises of ployment status.</p> <p>ons, drawings or may be offensive ous, or age-based</p> <p>sue any charge of ment and Housing u may contact the Street, Suite 210,</p> <p>Supervisors in sla's anti-</p> <p>ors, vendors, and mises. Employees nd including</p> <p>nation of any kind ts of the conduct to be investigated ken where</p> <p>e reported to le, consistent with hibits employees nplaint procedure.</p> <p>se "retaliate" against crimination, files a yment proceeding of retaliation and termination.</p>
<p>CONFIDENTIAL</p> <p>TESLA-0000217 EX 029-001</p>	<p>TESLA-0000218 EX 029-002</p>
	<p>TESLA-0000219 EX 029-003</p>



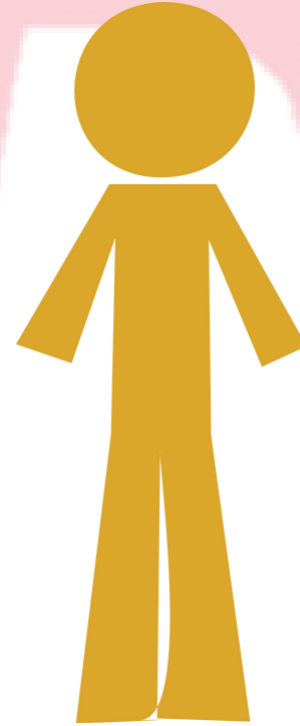




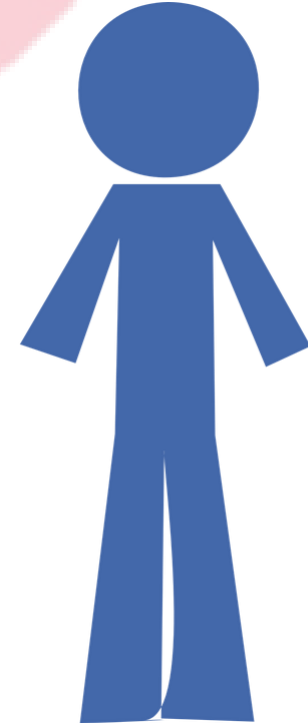
Chartwell



nextSource

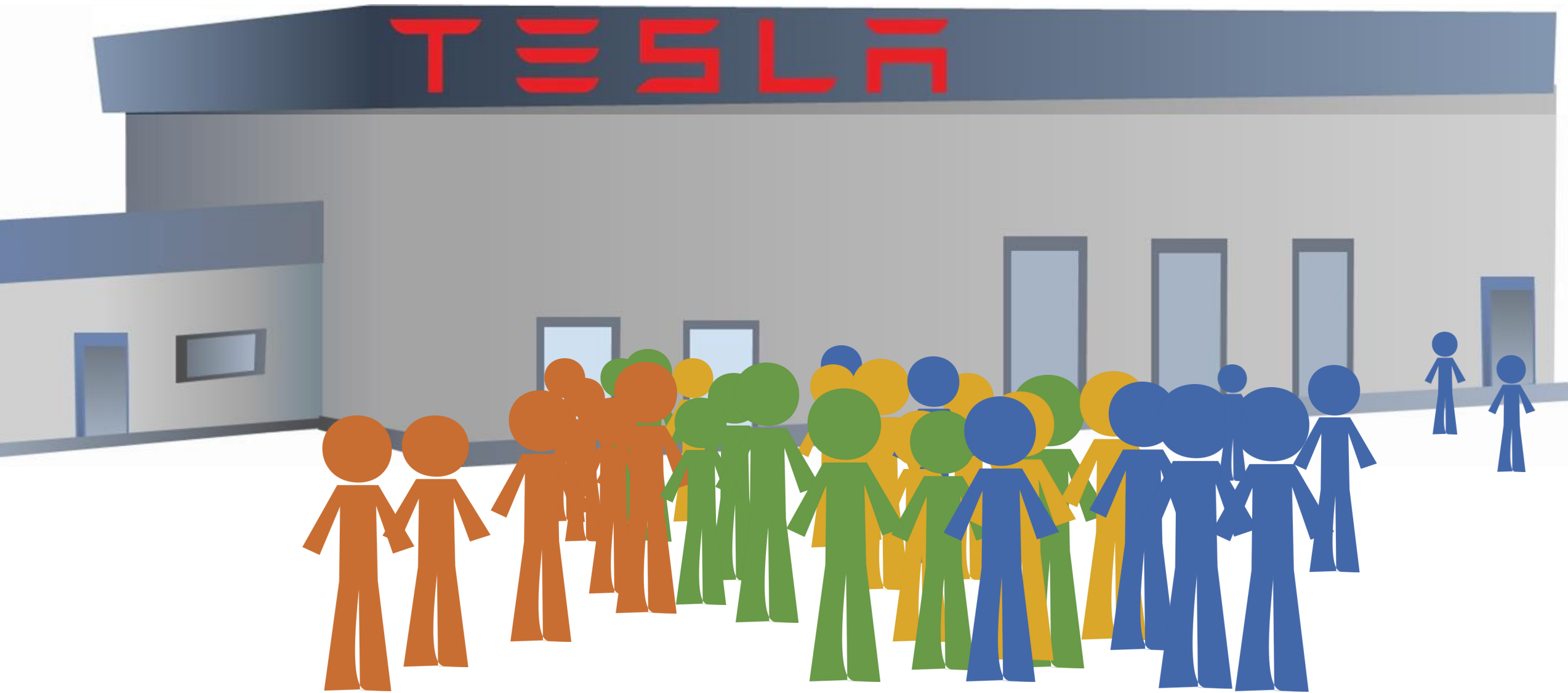


Citistaff



Other Contractor

TESLA





Tesla Was Responsible for Racism to Owen











The Anti-Handbook Handbook

We're Tesla. We're changing the world. We're willing to rethink everything.

We're a high tech company unlike any other high tech company. We're a car company unlike any other car company.

We're different and we like it that way. Being different allows us to do what no one else is doing; to do what others tell us is impossible.

If you're looking for a traditional employee handbook filled with policies and rules, you won't find one. Policies and rules tell you where the bottom is – they tell you how poorly you can perform before you get shown the door. That's not us.

We prefer to have incredibly high standards and to hire exceptional people who enjoy pushing themselves to perform at the highest levels every day. We want to surround ourselves with people driven to do the right things and act with integrity even when no one is looking.

Is this you? If so, we're glad you're here and we look forward to doing amazing things together. If this isn't you, you'll be more successful somewhere else. We don't mean to sound harsh; it's just the truth.

Some of Our High Standards

If you're reading this, you're probably new to Tesla and have questions about how some basic things play out around here. Here's what we think you need to know to get started. As for everything else, such as information about our pay policies, meal and rest breaks, time off, and leave policies, check the internal website at https://internal.teslamotors.com/hr_home/ or ask.

Trust

We give everyone who joins our team a lot of trust and responsibility. We operate with the assumption that everyone will do the right thing, including you. The truth is some people have violated this trust or ignored their responsibilities. We won't change our approach because of the few who have let us down. Instead, we let them go.

Communication

Anyone at Tesla can and should email or talk to anyone else according to what they think is the fastest way to solve a problem for the benefit of the whole company. You can talk with your manager, you can talk to your manager's manager, you can talk directly to a VP in another department, you can talk to Elon – you can talk to anyone without anyone else's permission. Moreover, you should consider yourself obligated to do so until the right thing happens.

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
EX 006
CASE NO. 17-cv-06748-WHO
DATE ENTERED _____
BY _____
DEPUTY CLERK

TESLA-0000211
EX 006-001

TESLA-0000212
EX 006-002

TESLA-0000213
EX 006-003

SLA-0000214
EX 006-004

Anti-Handbook Handbook

Anti-Handbook Handbook

TESLA

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Is this you? If so, we're glad you're here and we look forward to you, you'll be more successful somewhere else. We don't want you to leave.

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Sick Days

If you're sick, stay home. Don't get the rest of us sick. Contact your supervisor by any means possible as soon as you can, ideally before you're scheduled start time. If you've accrued Paid Time Off (PTO) use it and you'll be paid for that day.

Vacations

We know you need time off so schedule it in advance, get your supervisor's approval, and then take it. Use your PTO – that's what it's there for.

Keep in mind that every vacation request can't be accommodated. Others may have already requested the same days off or critical deadlines may create vacation blackout periods.

No Call, No Show

Our assumption will be that if you don't call and don't show up for work, you're a jerk. You better have a really good reason for not letting us know why you didn't come in or you're out of here. One time is enough.

Outside Employment

You may hold a job with another company as long as you perform your job here well and you aren't compromising anything confidential or proprietary.

If you have another job – you will be judged by the same standards as you are here. If your outside job interferes with your performance, you may be asked to terminate that job.

Stupid Stuff

If you do something stupid, depending on the circumstances you may be coached and given another chance or you may be asked to leave. We can't afford to waste our time dealing with stupid stuff when we have so many important things to get done.

If you need them, here are some examples of stupid things people do:

- **Harassing or threatening violence.**
- Possessing explosives, weapons, or drugs.

The list could go on and on. If you think you're the kind of person who might do something that could be on a list of stupid stuff, do us all a favor and leave now.

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TESLA-0000213

EX 006-003

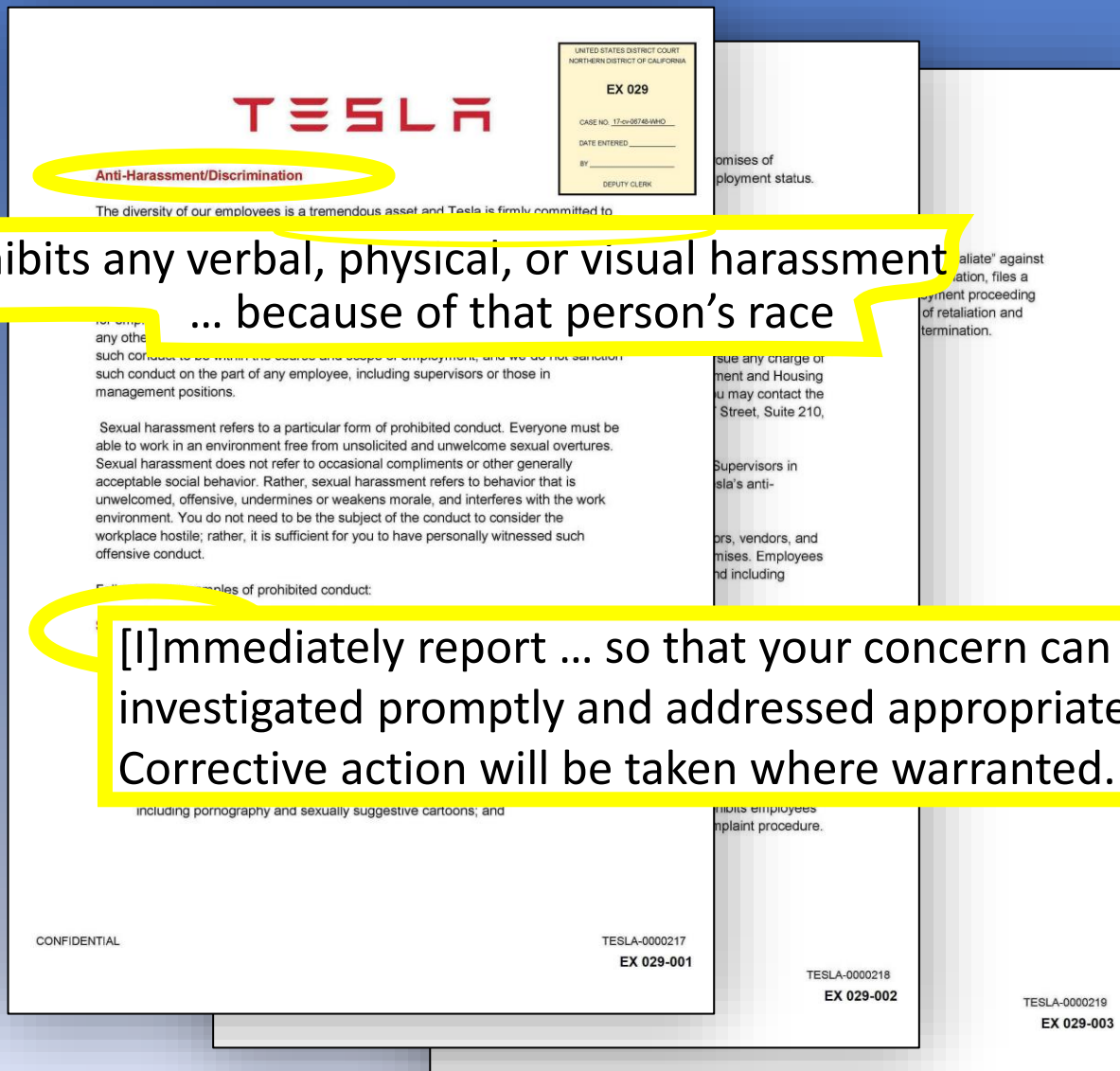
SLA-0000214

EX 006-004

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	<p>TESLA-0000219 EX 029-003</p>

Anti Harassment Policy



Anti Harassment Policy

Verbal abuse based on a person's protected-class

prohibits any verbal

- Visual conduct such as derogatory posters, photographs, cartoons, drawings

sa "retaliate" against

Visual conduct such as derogatory cartoons, drawings

such conduct to be
such conduct on the
management position

Sexual harassment
able to work in an e
Sexual harassment
acceptable social b
unwelcomed, offens
environment. You d
workplace hostile; n
offensive conduct.

Following are exam

For California Employees: If you work in California, you may pursue any charge of sexual harassment with the California Department of Fair Employment and Housing and the California Fair Employment and Housing Commission. You may contact the California Department of Fair Employment and Housing at 2014 T Street, Suite 210, Sacramento, California 95814 or at (916) 227-0551.

All supervisors are required to take our anti-harassment training. Supervisors in California are required to take two hours of training concerning Tesla's anti-harassment and anti-discrimination policies every two years.

In addition to all employees, this policy also applies to all contractors, vendors, and customers of Tesla, as well as visitors who enter onto Tesla's premises. Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.

[I]mmediately report ... so that your concern can be investigated promptly and addressed appropriately. Corrective action will be taken where warranted.

including po

the need to conduct an adequate investigation. The Company prohibits employees from hindering our own internal investigations and our internal complaint procedure.

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TESLA-0000218
EX 029-002

TESLA-0000219
EX 029-003

Patchwork Policy of Discrimination

Message
From: Veronica Martinez [veronica.martinez@chartwellstaff.com]
Sent: 1/22/2016 11:19:24 PM
To: Wayne Jackson [/O=TESLA/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Wayne Jackson899]
CC: Garrett, Terri [tgarrett@nextsource.com]; Jackson, Wayne [wjackson@nextsource.com]; Jackelin Delgado [jackelin.delgado@chartwellstaff.com]; Jessy Meneses [jessy.meneses@chartwellstaff.com]
Subject: RE: Racist effigy & drawing

Wayne,

I was able to speak with Ramon and he is on his way to my office so we can start
will

What is your policy with regards to discrimination.

Hi Veronica this serious came up today. I believe Chartwell is his EOR. What is your policy with regards to discrimination. Please review the email below and get back with what your policy is so that I can address.

Importance: High

Hi Veronica this serious came up today. I believe Chartwell is his EOR. What is your policy with regards to discrimination. Please review the email below and get back with what your policy is so that I can address.

Wayne Jackson
Program Manager
1040 Avenue of the Americas, 24th Floor
New York, NY 10018
Mobile: (917) 797-9984
wjackson@teslamotors.com
wjackson@nextsource.com



Workforce Optimization, Business Enlightenment

From: Owen Diaz [mailto:odiazr68@gmail.com]
Sent: Friday, January 22, 2016 8:46 AM
To: Wayne Jackson <wjackson@teslamotors.com>
Subject: Fwd: Racist effigy & drawing

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
EX 271
CASE NO. 17-cv-06748-WHO
DATE ENTERED
BY
DEPUTY CLERK

CONFIDENTIAL

TESLA-0000004

EX 271-001



Hostile Work Environment Racism

June 3
2015

July
2015

July 31
2015

August 4
2015

August
2015

Fall
2015

October 17
2015

October 20
2015

January 21
2016

January 22
2016

February 26
2016

March 13
2016

Owen Diaz's first day at Tesla

Racist graffiti

Timbreza racist remarks

Romero misrepresents investigation

Martinez racist slurs begin

Hurtado racist slurs begin

Owen Diaz hears supervisor call his son "N—r"

Martinez attacks Owen Diaz: **"I don't feel safe"**

Tesla HR stops investigation

Martinez draws picaninny

Discipline decided before
investigation

Hurtado racist slurs
ongoing

Owen Diaz's
last day at
Tesla

called n-word 60+ times

“go back to Africa”

“porch monkey”

“mayate”

“you n---rs are lazy”

“I hate you f---ing n---rs”

“n---r, hurry up and push the button”

“I wish I could get all you n---rs fired”

“boy”

“n---rs aren’t shit”

n-word “all over the factory”

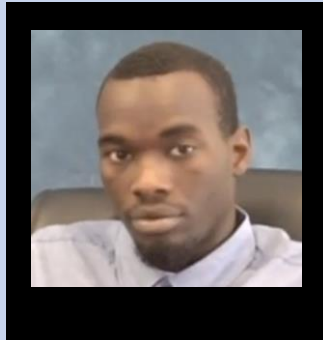
racist graffiti in bathrooms

sees son called n-word by supervisor

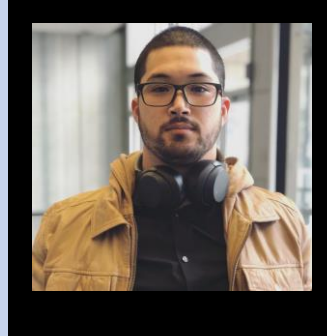
verbal complaints ignored

TESLA

People in the factory:



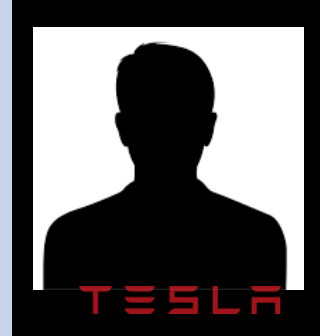
**Demetric
Di-az**



**Tom
Kawasaki**



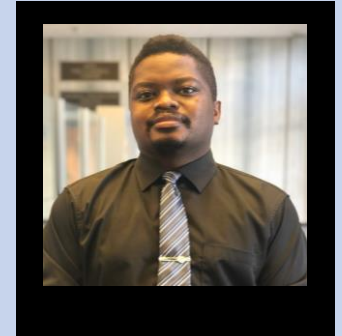
**Wayne
Jackson**



**Ramon
Martinez**



**Ed
Romero**



**Michael
Wheeler**



“N-----r!”

Porch Monkey

“Boy”

I hate you N-----r

N-----rs aren't shit

I wish I could get all you N-----rs fired

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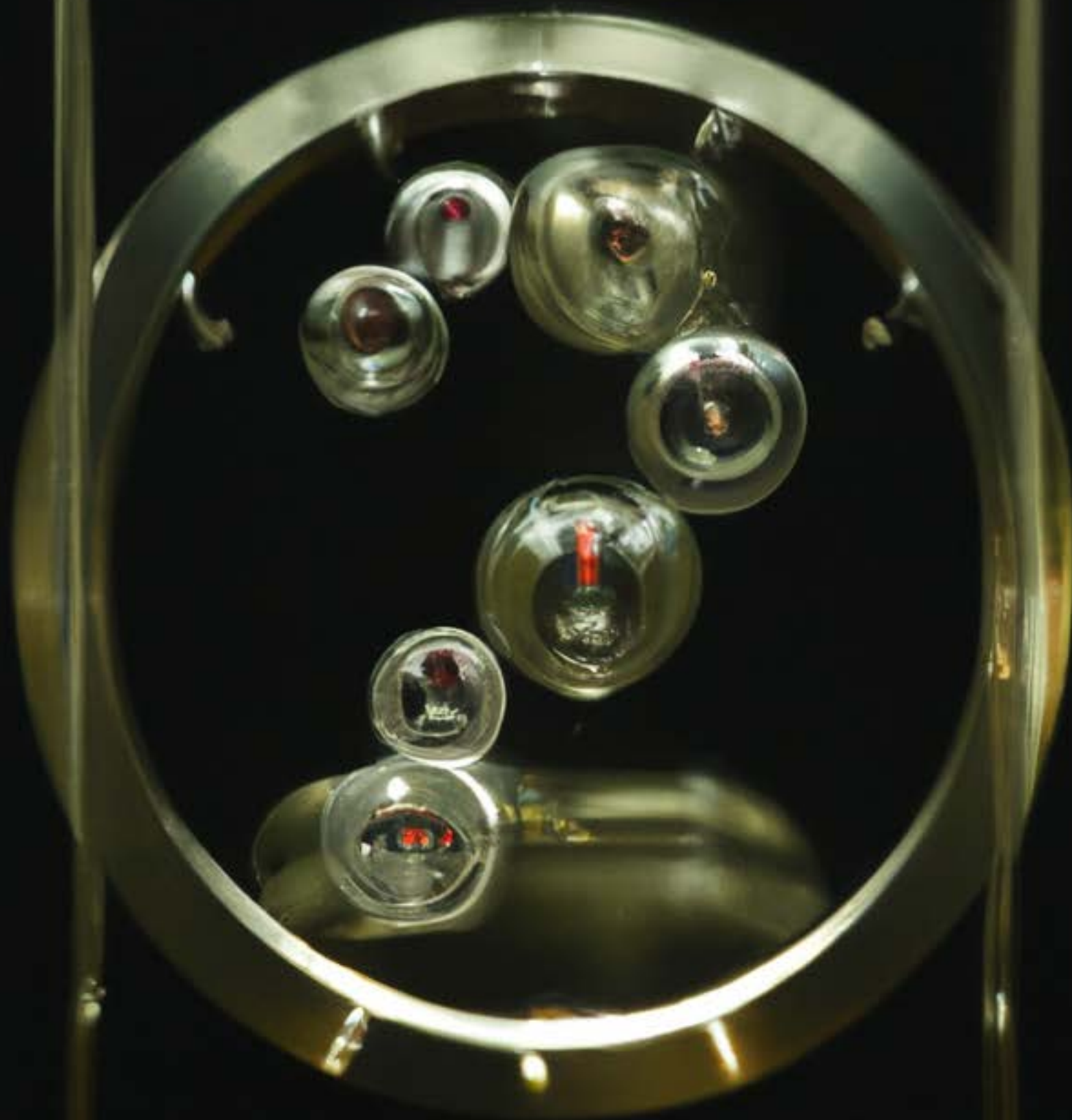
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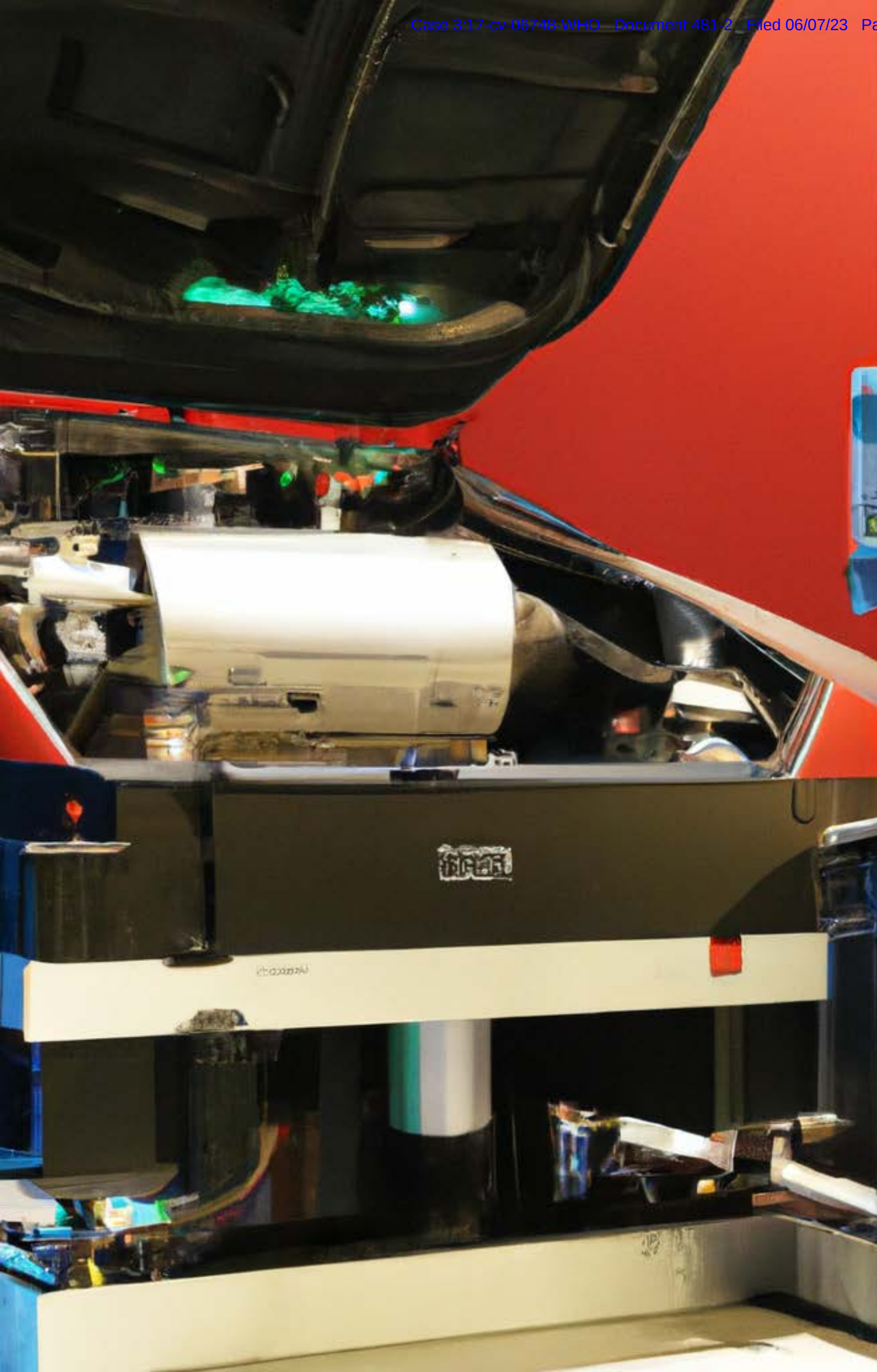
Training:

Yes

NO

















**ZERO
RESPONSIBILITY
ZERO**

Owen Diaz v. Tesla Inc.

PLAINTIFF'S OPENING STATEMENT

